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MERCK & CO., INC.; MERCK SHARP

& DOHME CORP.<sup>1</sup>; ORGANON & CO.;

and ORGANON LLC

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

SHERRY WALLACE, an individual,

Plaintiff,

vs.

MERCK & CO., INC., a New Jersey  
Corporation; MERCK SHARP & DOHME  
CORP., a New Jersey Corporation;  
ORGANON & CO., a Delaware  
Corporation; ORGANON LLC, a Delaware  
Limited Liability Company; and DOES 1-10,  
Inclusive,

Defendants.

Case No. 1:22-cv-00607-JLT-SAB

**JOINT STIPULATION TO EXTEND  
DEFENDANTS MERCK & CO., INC.,  
MERCK SHARP & DOHME CORP.,  
ORGANON & CO., AND ORGANON  
LLC'S TIME TO RESPOND TO  
PLAINTIFF'S INITIAL COMPLAINT  
BY NOT MORE THAN 28 DAYS [L.R.  
144]**

Action Filed: March 4, 2022

Action Served: April 20, 2022

Action Removed: May 20, 2022

Current Response Date: May 27, 2022

New Response Date: June 24, 2022

<sup>1</sup> Merck Sharp & Dohme Corp. is now known as Merck Sharp & Dohme LLC.

1 Plaintiff Sherry Wallace (“Plaintiff”) and Defendants Merck & Co., Inc., Merck Sharp &  
2 Dohme Corp., Organon & Co., and Organon LLC (collectively, “Defendants”), by and through the  
3 undersigned counsel, hereby submit this Stipulation pursuant to Local Rule 144(a) as follows:

4 1. WHEREAS Plaintiff filed this civil action against Defendants in the Superior Court  
5 of the State of California for the County of Merced on March 4, 2022;

6 2. WHEREAS Plaintiff served Defendants with a copy of the Summons and Complaint  
7 on April 20, 2022;

8 3. WHEREAS Defendants removed the case to this Court on May 20, 2022 pursuant to  
9 its Notice of Removal and Removal of Action within 30 days of service pursuant to 28 U.S.C. §  
10 1446 (see Dkt. No. 1);

11 4. WHEREAS pursuant to Fed. R. Civ. Proc. 81(c)(2), Defendants’ response to  
12 Plaintiff’s Complaint is currently due on May 27, 2022;

13 5. WHEREAS the Parties agree that Defendants’ last day to answer, move, or otherwise  
14 respond to Plaintiff’s Complaint shall be extended to June 24, 2022, without prejudice to, or waiver  
15 of, any rights otherwise available to the Parties herein, including but not limited to Defendants’ right  
16 to challenge service, jurisdiction, venue, or assert any other defenses applicable at law, in equity or  
17 otherwise; and

18 6. WHEREAS such an extension does not extend the time for Defendants to respond to  
19 the Complaint for more than a cumulative total of twenty-eight (28) days from the date the response  
20 initially would have been due on May 27, 2022. Local Rule 144(a).

1       **NOW, THEREFORE, IT IS HEREBY STIPULATED THAT** Defendants' new deadline  
2 to answer, move, or otherwise respond to Plaintiff's Complaint in the above-captioned matter is  
3 extended to June 24, 2022.

4  
5 DATED: May 26, 2022

KING & SPALDING LLP

6 /s/Julia E. Romano

7 Attorneys for Defendants

8  
9 DATED: May 26, 2022

BOUCHER LLP

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11 /s/ Shehnaz M. Bhujwala

12 Attorneys for Plaintiffs  
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**ATTESTATION**

I, Julia E. Romano, am the ECF User whose ID and password are being used to file this Joint Response to Order to Show Cause. I hereby attest that each of the other signatories to the Joint Response concurs in this filing.

DATED: May 26, 2022

KING & SPALDING LLP

/s/Julia E. Romano

Attorneys for Defendants